

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

WOODBIDGE GROUP OF COMPANIES,
LLC, *et al.*,¹

Remaining Debtors.

Chapter 11

Case No. 17-12560 (JKS)
(Jointly Administered)

MICHAEL GOLDBERG, in his capacity as
Liquidating Trustee of the WOODBRIDGE
LIQUIDATION TRUST,

Plaintiff,

v.

ANDREW R. VARA, in his capacity as the
United States Trustee for Region 3; TARA
TWOMEY, in her capacity as Director of the
Executive Office for United States Trustees;
and THE UNITED STATES TRUSTEE
PROGRAM,

Defendants.

Adversary No. 22-50516 (JKS)

CERTIFICATION OF COUNSEL

¹ On February 25, 2019, the Court entered an order closing the Bankruptcy Cases of all Debtors except Woodbridge Group of Companies, LLC and Woodbridge Mortgage Investment Fund 1, LLC (together, the “Remaining Debtors”). The Remaining Debtors’ Bankruptcy Cases are being jointly administered under Case No. 17-12560 (KJC). The Remaining Debtors and the last four digits of their respective federal tax identification numbers are as follows: Woodbridge Group of Companies, LLC (3603) and Woodbridge Mortgage Investment Fund 1, LLC (0172). The Remaining Debtors’ mailing address is 14140 Ventura Boulevard, #302, Sherman Oaks, California 91423.

Undersigned counsel for the above-captioned defendants certifies:

1. On December 29, 2022, Plaintiff filed the complaint which initiated the above-captioned adversary proceeding [D.I. 1].
2. On March 10, 2023, Defendants filed an Answer [D.I. 6].
3. On May 29, 2023, this Court entered an order approving the parties' stipulated briefing schedule for summary judgment [D.I. 10].
4. On August 3, 2023, Plaintiff filed a motion for summary judgment [D.I. 12].
5. On September 15, 2023, Defendants filed a motion for summary judgment and a response to Plaintiff's motion for summary judgment [D.I. 18, 19]. The Defendants identified \$1,920,219.00 in fees responsive to the relief the Plaintiff asserts in this adversary proceeding. [D.I. 19 at ¶ 41 n.7].
6. On September 29, 2023, the Supreme Court granted a writ of certiorari in *United States Trustee v. John Q. Hammons Fall 2006 LLC*, No. 22-1238 (U.S.) ("Hammons"). *Hammons*, 2023 WL 6319661 (U.S. Sept. 29, 2023) (order granting cert.).
7. The parties agree that the above-captioned adversary proceeding, including the parties' briefing deadlines in connection with the motion and cross motion for summary judgment should be stayed pending the Supreme Court's decision in *Hammons*. The parties further agree, without waiving any defenses, objections, or other rights, that \$1,920,219.00 is the amount of the "Fee Difference" that Plaintiff seeks to recover.
8. Attached as Exhibit A is a proposed form of order which stays the above-captioned adversary proceeding consistent with the parties' agreement; the related stipulation, concerning the stay and the amount in dispute, is an exhibit to the proposed form of order.

WHEREFORE, the defendants respectfully request entry of the proposed form of order.

Dated: December 15, 2023
Wilmington, Delaware

Respectfully submitted,

ANDREW R. VARA,
UNITED STATES TRUSTEE, Regions 3 and 9

By: /s/ Timothy J. Fox
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